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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,818	09/17/2003	Toshiaki Hata	Q77067	4040

65565 7590 02/22/2007
SUGHRUE-265550
2100 PENNSYLVANIA AVE. NW
WASHINGTON, DC 20037-3213

EXAMINER

AU, SCOTT D

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/663,818

Applicant(s)

HATA, TOSHIAKI

Examiner

Scott Au

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This communication is in response to applicant's response to an Amendment, which is filed December 05, 2006.

An amendment to the claims 1-8 have been entered and made of record in the Application of Hata for a "Burglarproof device for vehicle" filed September 17, 2003.

Claims 1-8 are pending.

The new claims 9-14 are introduced.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-6, and 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US# 5,977,654) in view of Onuma et al. (US# 6,876,292).

Referring to claim 1, Johnson et al. disclose a burglarproof device for a vehicle comprising:

a portable transmitter (60) (i.e. transmitter) having a first switch (64) (i.e. switch) which transmits a preset first ID code (i.e. transmitted code); an activation unit (28) (i.e. control portion) for the vehicle which receives the first ID code from the portable transmitter, and collates the first ID code with a prestored second ID code, such that a locked state of a vehicle operation device for the vehicle is released when the activation unit receives the first ID code; an operational device (i.e. door locking system) for a vehicle; and an engine operation restraining unit (28) (i.e. control portion) which disables an engine operation based on a signal from the activation unit (col. 2 lines 23-45 and col. 5 lines 25-62).

However, Johnson et al. did not explicitly disclose wherein the signal from the activation unit is sent after the vehicle device has been released in response to the receipt of the first ID code by the activation unit.

In the same field of endeavor of vehicle system, Onuma et al. disclose the door unlock ID code is prior to the starting engine ID code (col. 5 lines 17-30).

One ordinary skill in the art understands that the door unlock ID code is prior to the starting engine ID code of Onuma et al. is desirable in the vehicle system of Johnson et al. because both Johnson et al. and Onuma et al. teach the security operation of a vehicle. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the door unlock ID code is prior to the starting engine ID code of Onuma et al. into vehicle operating system of

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Jonhson et al. with the motivation for doing so would allow the security of burgler prevention.

Referring to claim 2, the device of claim 1, Onuma et al. disclose wherein the portable transmitter has a second switch for transmitting a preset third ID code, in which vehicle operational device restraining unit receives the third ID code from the portable transmitter, and collates the third ID code with a fourth ID code prestored, and the engine operation restraining unit disables the engine operation on the basis of the collation result (col. 5 lines 17-47).

Referring to claim 3, the device of claim 2, Onuma et al. disclose wherein the operational device for vehicle is restrained by electromagnetic lock unit (col. 3 lines 1-9).

Referring to claim 9, the device of claim 2, Onuma et al. disclose wherein the preset third ID code is transmitted after the vehicle operation device has been released (col. 5 lines 17-47).

Referring to claim 5, the device of claim 1, Johnson et al. disclose wherein the engine operation restraining unit stops the operation of the engine by shutting of an ignition of the engine or a supply of a fuel to the engine (col. 1 lines 15-21).

Referring to claim 6, the device of claim 1, Johnson et al. disclose wherein the engine operation restraining unit disables the operation of the engine if the engine transits from an operating state to a stopped state (col. 2 lines 23-30).

Referring to claim 8, the device of claim 1, Johnson et al. (col. 1 lines 29-31 and col. 5 lines 25-62) in view of Mochida (col. 1 lines 8-17 and col. 2 lines 44-67) disclose the release of steering wheel in lock state and disable the engine operation.

Referring to claim 10, the device of claim 1, Onuma et al. disclose wherein the vehicle operation device is a steering wheel (col. 2 lines 36-44).

Referring to claim 11, the device of claim 1, Onuma et al. disclose wherein the vehicle operation device is a handle lock (col. 2 lines 36-44).

Referring to claims 12-14 are directed to a method drafted in analogy to device claims 1-2. Therefore, the subject-matter of these claims are also not novel in view of the above-mentioned documents.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US# 5,977,654) in view of Onuma et al. (US# 6,876,292) as applied to claim 1 above, and further in view of Walter (US# 6,275,141).

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Referring to claim 4, Johnson et al. in view of Onuma et al. disclose the burglarproof device for vehicle according to claim 1. However, Johnson et al. in view of Onuma et al. did not explicitly disclose further comprising: an alarming unit for triggering alarm by sensing a vibration of the vehicle when the engine operation is disabled by the engine operation restraining unit.

In the same field of endeavor of vehicle security system, Walter discloses an alarming unit for triggering an alarm by sensing a vibration of the vehicle when the engine operation is disabled by the engine operation restraining unit (col. 21 lines 23-30).

One ordinary skill in the art understands that alarm sound when ignition is turned off of Walter is desirable in the vehicle security system of Johnson et al. in view of Onuma et al. because both Johnson et al. in view of Onuma et al. and Walter suggest the restriction of operating the vehicle subsystems according the level of authoring access (i.e. see Johnson et al. col. 1 lines 24-61 and col. 1 lines 20-49). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include having alarm sound when ignition is turned off of Walter in the vehicle security system of Johnson et al. in view of Onuma et al. with the motivation for doing so would notifying the surrounding that the vehicle is disabled.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US# 5,977,654) in view of Onuma et al. (US# 6,876,292) as applied to claim 1 above, and further in view of Hwang (US# 5,760,680).

Referring to claim 7, Johnson et al. in view of Onuma et al. disclose the burglarproof device for vehicle according to claim 1. However, Johnson et al. in view of Onuma et al. did not explicitly disclose wherein the engine operation restraining unit disables the operation of the engine if the engine is not operated after operation of the engine if the engine is not operated even after the passage of a fixed time from a permission of the engine operation.

In the same field of endeavor of vehicle security system, Hwang discloses wherein the engine operation restraining unit disables the operation of the engine if the engine is not operated after operation of the engine if the engine is not operated even after the passage of a fixed time from a permission of the engine operation (col. 1 lines 25-32).

One ordinary skill in the art understands that disables the operation of the engine if the engine is not operated after operation of the engine if the engine is not operated even after the passage of a fixed time from a permission of the engine operation of Hwang is desirable in the vehicle security system of Johnson et al. in view of Onuma et al. because both Johnson et al. (col. 1 lines 15-41) in view of Onuma et al. and Hwang (col. 1 lines 7-23) suggest the security of the vehicle to prevent unauthorized access. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include disables the operation of the engine if the engine is not operated after operation of the engine if the engine is not operated even after the passage of a fixed time from a permission of the engine operation of Hwang in the

security system of Johnson et al. in view of Onuma et al. with the motivation for doing so would prevent of the vehicle from stolen.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Au whose telephone number is (571) 272-3063. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached at (571) 272-2981. The fax phone numbers

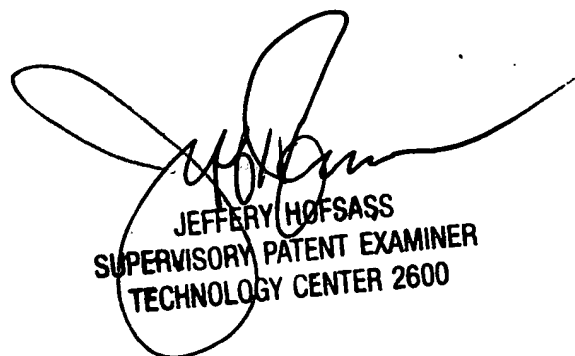
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for the organization where this application or proceeding is assigned are (571)-273-

8300.

A handwritten signature, possibly reading 'LA', written in black ink.

2/9/07

A large, stylized handwritten signature in black ink, overlapping the printed name and title.

JEFFERY HOFSAASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600